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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY GARDNER,
Plaintiffs,
v.
CITY OF BERKELEY,
Defendants.

No. C-10-3410 EMC

**ORDER OVERRULING EVIDENTIARY
OBJECTIONS**

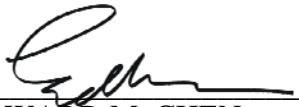
For the purposes of this summary judgment motion, the Court relied upon the following evidence that were the subject of objections:

- Mark Zembsch Declaration, Exhibit E
- Mark Zembsch Declaration, Exhibit O
- Erik Upson Declaration ¶¶ 2, 3
- Kevin Schofield Declaration ¶ 5
- Douglas Hambleton Declaration ¶¶ 4, 5
- Eric Gustafson Declaration ¶ 13
- David Hodgkins Declaration ¶ 4
- Matt Morizono Declaration ¶¶ 4, 5
- David Frankel Declaration ¶¶ 2, 3.
- Timothy Gardner Declaration ¶¶ 5, 6, 13, 14, 23
- Christine Knowlton Declaration ¶ 1
- Sean McCann Declaration ¶ 6

1 As to these statements, the objections are overruled. All other objections are deemed moot.
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3 IT IS SO ORDERED.
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6 Dated: January 18, 2012
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EDWARD M. CHEN
United States District Judge